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EXPLANATORY ANSWER

TO THE

OBSERVATIONS ON THE SUBJECT

OF THE LATE

Capture of Neutral Ships.



THE late misunderstanding between the Danish and British governments is now happily removed by a convention alike satisfactory to both nations, and that harmony again restored between the two Courts, which, for a moment, had been interrupted. The scandalous reports, that this interruption gave birth to, are now refuted by evident facts; the fantastical notion of great and extensive plans formed by the northern Powers for diminishing the trade and navigation of Great Britain has vanished, and we see, in the clearest manner, the fair and honourable conduct of a State, which certain persons have not been ashamed rashly to accuse of assisting a

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commerce carried on contrary to treaties, by affording the protection of its ships of war to vessels laden with contraband; of the six ships which were captured under convoy of the Freya frigate, the cargoes were most minutely examined, the result however was, that not only not the smallest particle of contraband commodities could be discovered, but not even the least probability of any hostile or illicit interest being mingled in the property; such an event was doubtless, but little expected by those persons who have been already alluded to; it disappointed their wishes, it baffled their endeavours to disseminate the seeds of *national* hatred and rancour amongst their countrymen, and, if possible, to extend the first dissatisfaction to an irremediable breach of amity, when perhaps the public disasters might afford them the opportunity of gratifying their private animosities or ambition; the reconciliation on the contrary, which has taken place, will unite still closer two nations, between whom an old and unremitting friendship has subsisted; more especially, if to this public union be superadded a mutual confidence between the subjects of the respective countries; and if those impressions be removed, which such violent accusations frequently repeated, and even under the sanction of important names, must necessarily have left behind.

Amongst the various publications which have appeared in England upon this subject, some observations, inserted in the London Chronicle, and other papers, and universally understood to have been written by a nobleman, who not long since resided at Copenhagen, in a diplomatic character, are remarkable, as well from the implacable tone in which they are delivered, as on account of the magnitude of the charges contained in them. The reasons which might induce that noble Lord to so violent a display of hatred against Denmark, are pretty generally known, or it could not but create surprize in his readers, that such a stream of invectives should flow from the pen of a gentleman, who had been lately invested with the high and respectable office of representing his Sovereign at the Court of that very nation against which, though still in alliance, his invectives were directed ; of a gentleman, whose situation at that Court must necessarily have made him acquainted with the many violations of neutral commerce, of which either as the natural consequence of the principles adopted by the British Government, or as transgressions of their orders, such frequent and well founded complaints had been made ; lastly of a gentleman, who could not be ignorant of the many regulations which the Danish Government had made to prevent abuses, and which, had they been suffered

to pass unnoticed, might indeed have rendered it questionable, how far the neutrality and intentions of Denmark were sincere ; it would have been more honourable for his Lordship, more consistent with the public character which he had sustained, to have explained any misunderstandings that had arisen, to have soothed the irritation of men's minds, and to have spoken the language of peace, at the time when a dangerous spark, fallen amongst the nations of the North, threatened to extend still further that general conflagration in which Europe was involved ; his Lordship, however, has thought proper to display a very different way of thinking.

We will now examine accurately the charges contained in the above-mentioned publication. It is not of the actions of individuals of which he is complaining, it is of the general sentiments of a nation, of the intentions of its Government ; these are the objects of his attack ; he accuses the Northern Courts, and particularly that of Denmark, of looking with an eye of jealousy and envy at the commercial prosperity of Great Britain ; he represents the Danes as a nation at semi-warfare with England, under the masque of neutrality ; he warns his countrymen to be on their guard against “ stiletto attacks, and secret blows from beneath the neutral cloak of Denmark

and Sweden ;” he then goes on to assert, that “ the illicit practices of neutrals assume the aspect of an hostile disregard to common usage, and the law of nations, and appear to be countenanced by those very authorities, whose duty it is to check and suppress them ;” in fine, he holds out Denmark in particular, “ as the standard of the most unwarrantable proceedings ever ascribed to a nation in amity with his Majesty.”

It his hard, innocently to suffer under the pressure of circumstances, but one may sustain mere losses and be silent ; it is afflicting to see one’s property suddenly exposed to accidents, which threaten to annihilate at a blow those fruits of our labour which have been slowly and gradually acquired ; an open attack rouses one’s powers to resistance, and constancy will always find, in struggling for a good cause, means and resources which the assailant never thought of ; but the most painful of all trials is to find one’s self, when suffering, misrepresented and abused ; nor can it be denied that *his* malice is the most effective, who, working upon the irritated passions, excites suspicion and hatred in the minds of nations, which were, till then, united in mutual bonds of friendship and alliance.

It is not the intention of these sheets to renew the memory of an affair which should have ren-

dered the author of the observations more cautious in what he published, much less do we propose to defend the actions of individuals, whose punishment (if they have really given cause for complaint) belongs solely to Courts of Justice; on the contrary, we shall confine ourselves to what the noble Lord has been pleased to assert respecting the sentiments and general conduct of the Danish Government, taking, at the same time, the opportunity thoroughly to examine these pretended plans of commercial aggrandizement, which he so roundly accuses our nation of endeavouring to carry into effect.

With respect to the supposed jealousy of Denmark and her Government, at the commercial prosperity of Great Britain, is it so totally forgotten, that even in the course of the present war, by a new regulation of the customs, a variety of foreign articles, the importation of which was, till then, prohibited, are now permitted to be brought in, and of consequence a new channel of trade opened to other nations? Can it have escaped the reflection of any impartial observer, that such a change of commercial regulations is the very reverse of any plan on the part of Denmark to injure or diminish the trade of her neighbours; or that the English, whose ships are admitted to equal privileges with those of Danish subjects themselves, and whose industry and en-

terprize are so much greater must be the principal gainers by this alteration ? Upon the question, therefore, of the principles and spirit of the Danish Government, it is but reasonable if we insist upon being tried and adjudged by such measures.

With respect to those abuses of neutrality, which the noble Lord does not hesitate to represent as countenanced and supported by the Danish Government, it cannot be denied, that some particular persons have, by their conduct, given cause for a reasonable suspicion, of endeavouring, in their connexions with foreigners, improperly to convert the laws and treaties of their country to their private advantage. The question, however, is, whether the Danish Government (whose duty it never can be pretended to be, to put arbitrary bounds to the lawful commercial profits of its subjects) has ever taken any steps towards preventing such abuses as might justly supply occasion for complaint ; whether both before and after the commencement of the present war, laws have not been published, and other measures taken, the grand object of which was to preserve the trade of Denmark, within the limits prescribed by treaty, by checking the fraudulent designs of certain unprincipled individuals ; and finally, whether those offenders, whose transgres-

sions have come to the knowledge of the Magistrates, have been brought to public justice, and punished as they deserved.

Immediately upon the commencement of maritime operations in the present war, the necessary qualities and duties of those persons who were desirous, either as ship owners or masters, to enjoy the advantages which the happy neutrality of Denmark seemed to offer, were most minutely and accurately defined by two Royal Ordinances, dated 22d and 23d of February, 1793. According to the rule laid down in these ordinances, every person who solicited a royal passport, must be a Danish citizen, settled within the King's dominions, that is to say, having a fixed abode, the domicile and residence, if married, of his family, and if not, of himself, when not occasionally absent upon business; he must also, if thus qualified as a citizen, be provided with a certificate from the proper magistrates, stating his declaration upon oath before them, either that the ship is solely his property, or if there be co-owners, that every one of them, without exception is a Danish subject, together with a clause also upon oath, that the ship is not laden with any articles declared to be contraband by any treaty, nor with goods belonging to any of the belligerent powers or their subjects. It is

not till after the fulfilment of all these conditions, that a passport can be issued, which even then, in order to prevent all possible abuses by a second expedition, is valid only for a single voyage, that is, till the return of the ship to some port in Denmark. It must be further observed, that all those vessels which are intended to sail beyond Cape Finisterre, must be provided with other passports, grantable to none but such as have already been Danish citizens, for the space at least of three years ; I shall pass over the further obligations binding on ship owners, as to other needful documents for their vessels, such are the builder's brief, bill of sale, measuring bill, muster roll, &c. &c. and proceed to a few necessary explanations on the two subjects of contraband and admission to the rights of Burgher or Citizen.

Upon the breaking out of the present hostilities, a very considerable number of persons delivered in petitions, praying to be admitted to the privileges of the burghership, some with intent to settle in a country exempted from the horrors of war ; others, that in their respective characters of mariners, or ship masters, they might again obtain employment in that way of life in which they had been educated, and which could now no longer be had in their native countries : this was more especially the case in his Ma-

jesty's German dominions, which, being situated nearer to the scene of war, seemed, upon that account, to require more particular attention. The precautions, therefore, which had been taken by the ordonnances of the 22d and 23d of February, 1793, were not thought sufficient, and accordingly two other ordonnances were published on the 23d and 24th of December, 1796, by which it was decreed, that, besides the conditions already detailed, no married man should be admitted to the rights of a burgher, whose family resided in any other place than that in which he was a candidate for the burghership ; and that every captain or master of a vessel should find undeniable security to the amount of 200 rix dollars, which security was not to be released till the expiration of five years, a space of time considered as sufficient to determine whether he entertained a real intention of settling for ever within the territories of his Danish Majesty. It was further directed, in order to prevent foreigners from settling in the villages or in the country, where they might easily withdraw themselves from the eyes of the police, that no stranger should be permitted to exercise the profession of a mariner, unless he became a burgher of some commercial town or other place entitled to the same privileges. When these facts and ordonnances are compared with what the noble Lord

has been pleased to advance, as to the facility of Danish burghership, asserting, "that the privileges of being admitted to the rights of a burgher in each Danish city, is sold to the first comer, without any attention being paid whether the person is a Cherokee Indian, Mandingo negro, English or Dutchman," one cannot but be led to suspect that the accusation is founded on something else than mere ignorance of the real situation of affairs.

Nor less extraordinary is the charge which the noble Lord has ventured to make with respect to contraband. "The harbours (says he) of Carthagera, Cadiz, Ferrol, Toulon, l'Orient, Brest, and Rochefort, have received all their naval stores from the hands of neutrals:" and then he goes on to impeach the Danish flag, as taking the principal share in this illicit commerce. It is only the consummate assurance with which this accusation is made by the pen of a man of his rank and office, that can, perhaps, for a moment procure it credit with a few of his countrymen. If, indeed, the Government of Denmark has, upon any point, made use of peculiar precautions to secure itself from blame or suspicion, it has been upon this. Exclusive of the rules laid down in the aforementioned royal ordonnances, another decree was promulgated on

the 28th of March, 1794, under a supposition that some abuses had taken place ; in this the exportation of every species of contraband to a belligerent State is severely prohibited ; and in case of the shipment of such articles for neutral ports, the ship-owners are bound to deliver to the proper magistrates certificates of the arrival and unloading of these articles at the respective neutral ports to which they had been avowedly destined. We will venture to assert, that no commercial nation ever before adopted such strong and effectual means to avoid and secure itself from any reproach of this sort ; and we defy, in the face of all Europe, the noble Lord, and all our other open and secret enemies, to produce a single fact to prove, that from this period there has been exported from any Danish port, any contraband of war destined to any port of a belligerent. Had his Lordship been acquainted with such an instance, he had the means of preferring his complaints in the name of his nation, with the most positive certainty of obtaining all possible satisfaction. Such an odious insinuation, therefore, whether originating from the noble Lord himself, or from some other person, of whose secret malice he may not have been aware, thrown out too in general expressions, without proof, without instancing a single fact, and at a time when fears and anxieties

pervaded every bosom, cannot but render the motive to it extremely suspicious.

The ordonnance of July 25th, 1798, concerning the merchantmen from Fleckeroe, contained also the strictest regulations that can well be devised for preventing the secret conveyance of military contraband by the Danish merchant ships sailing under convoy : the result has fully demonstrated the efficacy of these measures, and the severity which has been displayed in punishing every offence against these regulations when publicly denounced and legally proved, must convince every impartial observer, that the Danish Government was seriously resolved not to suffer the violation of its laws. The partners in a mercantile house in Copenhagen, against whom an information was laid at the suit of the King's attorney, for an abuse with respect to royal Sea passes, have long since been exiled : another person, a ship-owner, who had sold his name as a cover for vessels belonging to belligerents, was punished with banishment, his name rendered infamous, and his property confiscated ; and even at this moment several prosecutions of the same nature are pending before the tribunals. So much by way of reply to the naked assertion of the noble Lord, that any illicit and fraudulent practices of neutralization are fa-

voured and supported by those very authorities upon whom it is incumbent to prevent the flag from being abused, and to watch over the lawful course of commerce.

But our author, who is, it seems, fully instructed in the secret springs which actuate the Northern Powers, and Denmark in particular supplies us with some perfectly new, and indeed unexpected illustrations. Great plans, says he, were formed for monopolizing the trade and navigation of the Dutch into Danish hands; for covering the trade to the French and Dutch West India settlements, and converting it to their own profit: the whole traffic of the Mauritius was carried on through Danish hands; the settlement at Batavia was alone, by their means, preserved to the mother country; the hostile design of interrupting the commerce of Britain became prevalent throughout the nation; and the Government found itself as unable to resist the temptation of levying taxes and imposing duties upon this commerce, as the merchants were of monopolizing it.

The strong and obvious reply which every body acquainted with the subject must make to the accusation, is this, that the Danish Government never has interfered, nor does it now

in the smallest degree with the commerce of its subjects : it acknowledges it to be its duty to promote the prosperity of the country by every proper support on its part ; to protect every fair branch of industry ; and, as far as may be in its power, to promote every natural and accustomed trade, and secure it from molestation ; but as to speculations, it leaves these entirely to the individuals who make it their business to avail themselves of times and circumstances, according to their skill : in such cases it only interferes when compelled to act either as a judge of the actions of its subjects, or as their protector against unjust attacks. With respect to the revenues which the Danish Government derives from the trade carried on by its subjects, it is indeed extraordinary how these can be an object of reproach in the mouth of the subject of a country, which, from her own commerce, extended over every ocean, collects the most considerable part of her revenue, and the most efficacious means of greatness. In Denmark these duties are so moderate, that they may be considered as barely furnishing the supply necessary for those various charges of the State, which the conduct of the belligerents, and the precautions requisite for securing trade from absolute destruction have occasioned ; and Government has always been willing to forego a part the moment it appear-

ed likely to produce misunderstanding or inconvenience : such, for instance, was the revoking the liberty granted of carrying freights from the East-Indies to parts in Europe, (a privilege then used by only four vessels), as soon as it was apprehended that its further use might give rise to abuses, and cause complaints on the part of the belligerent Powers : such, also, was its putting a stop to the distribution of those passports, which, in a few instances, had been granted to Danish ship-owners in Europe for such vessels as they had given instructions to purchase in the East Indies.

But to return to the commercial projects pretended by our author to have been formed by Denmark, and to the question of whether there really does exist a plan for monopolizing the French and Dutch East and West India trade, I cannot but think such an accusation rather singular from an English statesman, who certainly ought not to have been ignorant that his countrymen, even before his publication came out, had rendered the very idea of such a design impossible, by seizing on the greatest part of the French and Dutch settlements both in the East and West Indies : such a plan, too, must have been discovered, by efforts in some degree at least corresponding with the greatness of the undertaking.

If, therefore, the case be otherwise, the noble Lord must forgive us for treating the suggestion as altogether a chimera of his own brain, and the facts which follow will throw some light upon the subject.

According to the best statistical accounts, the French trade in the West-Indies before the revolution employed every year 600 vessels, each upon an average, of 250 tons : the Dutch trade to Surinam, and the other West-India settlements, required, every year, about 107 vessels. The Dutch East India Company sent every year to Batavia between 20 and 30 large vessels ; and the French trade to the Mauritius, Bourbon, and the Coast of Guinea, employed about 180 vessels.

It might be foreseen that a part of this trade, during a war between the great maritime powers, would fall into neutral hands, and a nation which owes its flourishing condition to the extent of its trade, cannot take it amiss, that the merchants of other countries also know how to make use of conjunctures ; but what proportion do our commercial undertakings bear with respect to the plans supposed to be formed by us ?

For the Danish trade to the West-Indies, only the following passports have been distributed throughout all the Danish dominions :

In the year 1797, to vessels bound for St. Croix, 23 ; for St. Thomas 21 ; for St. Croix and St. Thomas together, 25 ; for the West-Indies, without mentioning any place in particular, 5 ; for foreign settlements in the West-Indies, 12.

In the year 1798, for St. Croix, 26 ; for St. Thomas, 22 ; for St. Croix and St. Thomas together, 18 ; for the West-Indies in general, 1 ; for foreign settlements in the West-Indies, 9.

In the year 1799, for St. Croix, 28 ; for St. Thomas, 18 ; for St. Croix and St. Thomas together, 19 ; for the West-Indies in general, none ; for foreign settlements in the West-Indies, 10.

Returned from the East-Indies, besides those ships that belong to the East-India Company, and which only carry on a direct trade to the settlements belonging to Denmark :

In the year 1797, eleven vessels for private account, five of which were from the Danish

settlements at Tranquebar, and in Bengal; the other six from the different European settlements at the Cape of Good Hope, and East of it.

In the year 1798, thirteen ships for private account, four of which were sent from the Danish, the rest from other European settlements.

In the year 1799, likewise thirteen ships for private account, four of which also were from the Danish settlements.

If to these be added one single vessel which has unloaded a cargo, chartered in the East-Indies upon freight to a port, without the Danish dominions, this is a complete list of all the vessels returned from the East-Indies for the account of private owners during the above-mentioned years.

The comparison of this list, with the many hundred vessels which were occupied in the French and Dutch East and West-India trade, will fully enable the reader to judge of the reality of the plans and operations of commerce said, by the noble Lord, to be adopted of us, as well as of the amount of our profit, greatly lessened

by the frequent captures of many valuable cargoes. If, at the same time, it is considered that a trade to all the different corners of the world occupies the speculations of Danish merchants even in the most profound peace, and has occasioned a proportionable number of regular expeditions, the encrease of our commerce in these branches, the direct trade to our own settlements being deducted, will hardly justify any jealous apprehension, or be looked upon as an incroachment upon the commerce of Great Britain.

That the charge of hostile endeavours to diminish the trade of Great Britain, is not founded upon real facts, or upon any injuries done to that country, is fully demonstrated by taking a general view of its traffic. The mercantile fleet of Great Britain covers every sea, and in every Session of Parliament, the Minister himself congratulates his nation on account of the flourishing state of its commerce, which, during the course of the present war, has arrived to a height beyond any example of preceding times. The value of the import trade of Great Britain has arisen from £17,804,024. to which it amounted in the year 1787, to above 24 millions, which was the amount in the year 1798. The export, which in the year 1787 amounted to £16,870,114,

was in the year 1798 announced to be £33,655,396. In the year 1792, 284 vessels arrived in the River Thames from the British settlements in the West-Indies. In the year 1798, their number was increased to 347. The maritime trade of London has, since the year 1792, according to accounts laid before Parliament, been augmented by 1000 vessels from foreign ports, and the trade of the whole country in proportion. After such proofs, it must be plain in what light complaints of incroachments upon British commerce are to be considered.

Denmark has not been so fortunate in the increase of her commerce, and in the undisturbed enjoyment of those advantages, to which her neutrality (a neutrality not maintained without many sacrifices), ought justly to have entitled her. If, indeed, her trade, during the first years of the war, was considerably augmented, those advantages have, however, of late, remarkably decreased, and some sources have been entirely lost, partly by occurring circumstances, and partly by the system adopted by Great Britain. The shipping of Denmark has of late evidently diminished; the rigorous measures of the British Government, the extended instructions given to their ships of war and privateers, joined to the frequent and vexatious conduct of the latter in

even going beyond these instructions, the assumed authority of the tribunals, and in particular the unwarrantable proceedings of the inferior Courts of Admiralty out of Europe, together with the slow progress of suits in the superior Courts of Justice—these, and other circumstances, the recital of which would exceed the limits of this Answer, have not failed, by their influence, to destroy our trade in the first moments of its prosperity.

By declaring seven principal ports to be in a state of blockade, during the two last years, Great Britain has stopped the most considerable channels of Danish commerce, which is not so much founded on mere speculation, as on the export and import of mutual necessities. In cases of blockade, the rights of the blockading Power have received an extension, which is neither founded on common usage, nor on the law of nations. Is it reasonable that a mere declaration should be sufficient to repel all neutral ships from the entire coasts of a country, even when there is not an armed vessel to be seen for the purpose of effecting the blockade? Nay, for a neutral to have left a port blocked up in this manner, and at which she had arrived before that declaration, has been esteemed a crime to be punished with condemnation. Between the decla-

ration of all the Dutch harbours being in a state of blockade ; and the end of August in the present year, 120 Danish vessels have been captured by the English, some of which are condemned, others restored, and several still waiting judgment in the first instance. Besides these, not less than 60 undecided cases are pending in the Court of Appeals : the dates of some of these are very old, and they are all of importance. It is, moreover, almost grown into a rule, that when the neutral owner, after such a long delay, which is quite contrary to treaty, has at length obtained judgment in his favour, neither the expences nor interest are to be paid to him. I shall remain silent as to the many injustices committed, as well by privateers, as by the tribunals in the West-Indies, where cagoes, consisting of Danish produce, in vessels, of which there was not the smallest doubt of their being Danish, and bound for Danish settlements, have been confiscated without the least compunction, and that on the most unreasonable grounds. This may be sufficient to prove, that Denmark, much rather than Great Britain, is entitled to complain of encroachments on her trade, and of commercial jealousy.

What the noble Lord finally has been pleased to say of the political strength of Denmark, lies

not within the bounds of this Essay. He may, however, rest assured, that Denmark, in the wisdom of her Government, and in the patriotism of her subjects, will always find effectual means to defend herself and maintain her rights; and that this brave nation, on whom he endeavours to throw an odium, does not yield in patriotism and fidelity to the Government, to any other nation upon earth.

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FINIS.

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